

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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RAFAEL ALEJANDRO LIRIANO URENA,
individually and on behalf of others similarly
situated, CHARLIE UVEREA, individually and
on behalf of others similarly situated, ABISAI
NAVA, individually and on behalf of others
similarly situated,

Plaintiffs,

-against-

20 CIVIL 3751 (GBD)

JUDGMENT

0325 TUTA CORP. d/b/a LA GRAN ANTILLANA,
CALIFORNIA MARKET CORP., PABLO RAUL
PUGUERO, ANDY PEGUERO, and MIYIERA
DOE,

Defendants.

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It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Memorandum Decision and Order dated November 28, 2022, Magistrate Judge Gorenstein's recommended judgment regarding damages and costs is ADOPTED. Final judgment is entered ordering Defendants 0325 Tuta, California Market, Pablo Peguero, and Andy Peguero to pay: (1) Plaintiff Urena \$695.60 in unpaid minimum wages; \$67,631.40 in unpaid overtime; \$6,972.00 in unpaid spread of hours; \$75,299.00 in liquidated damages; \$10,000 in statutory damages; and interest at a rate of \$18.57 per day from February 27, 2019 and continuing until the date judgment is entered on his unpaid wages, in the amount of \$25,459.47; (2); Plaintiff Uverea \$14,326.77 in unpaid overtime; \$225.00 in unpaid spread of hours; \$14,551.77 in liquidated damages; \$10,000 in statutory damages; and interest at a rate of \$3.59 per day from April 26, 2020 and continuing until the date judgment is entered on his unpaid wages, in the amount of \$3,399.73; and (3) Plaintiff Nava \$2,645.58 in unpaid minimum

wages; \$578.10 in unpaid overtime; \$3,223.68 in liquidated damages; \$10,000 in statutory damages; and interest at a rate of \$0.80 per day from September 9, 2020 and continuing until the date judgment is entered on her unpaid wages, in the amount of \$648.80. Defendants are also ordered to pay Plaintiffs' costs in the amount of \$1,494. This Court has further adopted Magistrate Judge Gorenstein' s recommendation that, pursuant to N.Y. Lab. Law § 198(4), if any amount of Plaintiffs judgment remains unpaid upon the expiration of ninety days following issuance of judgment, or ninety days after expiration of the time to appeal and no appeal is then pending, whichever is later, the total amount of the judgment shall automatically increase by fifteen percent. This action is dismissed as to Defendant "Miyiera Doe;" accordingly, the case is closed.

Dated: New York, New York

November 28, 2022

RUBY J. KRAJICK

Clerk of Court

BY:

K. mango

Deputy Clerk